

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
OXFORD DIVISION

UNITED STATES OF AMERICA  
upon the relation and for the use of the  
TENNESSEE VALLEY AUTHORITY,

Plaintiff,

v.

CIVIL ACTION NO. 3:17cv084-NBB-JMV

AN EASEMENT AND RIGHT-OF-WAY  
OVER A TOTAL OF 4.10 ACRES OF LAND,  
MORE OR LESS, IN MARSHALL COUNTY,  
MISSISSIPPI, and  
GARY BARNETT,

Defendants.

**COMPLAINT**

1. This is an action of a civil nature brought by the United States of America upon the relation and for the use of the Tennessee Valley Authority for the taking of property under the power of eminent domain and for the ascertainment and award of just compensation to the owners and parties in interest.

2. The authority for the taking is the Tennessee Valley Authority Act of 1933, *as amended*, 16 U.S.C. §§ 831-831ee (2012).

3. The public use for which the property is taken is the erection, operation, and maintenance of electric power transmission circuits and communication circuits.

4. The property interest to be acquired is a permanent easement and right-of-way.

5. The easement and right-of-way herein condemned is described in Attachment 1 hereto attached and made a part hereof.

6. The persons known to the Plaintiff who have or may claim an interest in said property are as follows:

Gary Barnett owns said property in fee simple by virtue of a deed recorded in Deed Book 206, page 669, in the office of the Chancery Court Clerk of Marshall County, Mississippi.

The City of Holly Springs, Mississippi heretofore acquired and currently owns a preexisting easement and right-of-way over a portion of the land described in Attachment 1 by virtue of a Deed and Bill of Sale recorded in Deed Book 253, page 175, in the office of the Chancery Court Clerk of Marshall County, Mississippi. Said preexisting right-of-way is partially located within the easement and right-of-way herein condemned.

County and School District taxes for 2017 are a lien on said property.

7. A Declaration of Taking is being filed contemporaneously herewith.

WHEREFORE, the Plaintiff demands that:

(1) An Order be issued putting the Tennessee Valley Authority as agent of the United States of America into immediate possession of the property condemned.

(2) Just compensation for the property taken be ascertained in accordance with Rule 71.1(h) of the Federal Rules of Civil Procedure.

(3) A Judgment be entered confirming the vesting of title to the interest sought to be condemned in the United States of America by virtue of the Declaration of Taking filed herewith.

(4) The Plaintiff have such other relief as may be lawful and proper.

Respectfully submitted,

/s/Nakimuli O. Davis-Primer

Nakimuli O. Davis-Primer (MB #103320)

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